

HAMPTON PLANNING BOARD

MINUTES

September 2, 2015 – 7:00 p.m.

PRESENT: Brendan McNamara, Chair
Tracy Emerick
Ann Carnaby, Clerk
Mark Olson
Keith Lessard
Tom Higgins, Alternate
Rusty Bridle, Selectman Member
Jason Bachand, Town Planner
Laurie Olivier, Office Manager/Planning

ABSENT: Fran McMahon, Vice Chair
James Waddell, Selectman Member

I. CALL TO ORDER

Chairman McNamara began the meeting by introducing the Board members and leading of the Pledge of Allegiance.

II. ATTENDING TO BE HEARD

- **Change of Use – 239 Drakeside Road** - Office to child care center (approx 3,450 sf of the existing 5,226 sf bldg) **See below: To be heard with Site Plan of 239 Drakeside Road*
- **Change of Use – 597 Lafayette Road** - Carpet Store to Power Sports Dealership

Mr. Miles Cook appeared. The building is currently used as a carpet store. His company wants to put in a power sports store, i.e. selling motorcycles, ATVs, etc.

BOARD

Mr. Lessard asked if it would be sales or repairs, and it was noted sales. Mr. Cook said all work will be inside. There will be no vehicles displayed in the parking area. Customers may need to drop off and pick up. Parking will not be for display. Mr. Cook said maybe at some time someone will want to sell something and it could be out front. Mr. Bachand said the front is limited on space. The applicant should not impede parking spaces or access. Mr. Lessard asked about on-site waste oils and old mufflers, etc. Mr. Cook said there is a place called Safety Clean and they pick up. Storage will be inside the building, except for customers' vehicles. There will be service/customer parking. They can use Town pick up for trash per Mr. Emerick. The applicant has a warehouse in Rochester as well.

MOTION by Mr. Emerick to grant the change of use.

SECOND by Mr. Lessard.

HAMPTON PLANNING BOARD

MINUTES

September 2, 2015 – 7:00 p.m.

VOTE: 6 – 0 – 0

MOTION PASSED.

The business plans to be closed on Mondays; Open 9:00 to 6:00 on weekdays and 10:00 a.m. to 2:00 p.m. on Sunday. Mr. Bachand asked for his mailing address so the decision letter could be sent to him. 22 Isaac Lucas Circle, Dover, NH 03820.

They want to close on the building in 30 to 60 days.

- **Preliminary Conceptual Consultation - 298 Exeter Road – Assisted Living Facility**

Attorney Peter Saari appeared and Steve Paquette, the applicant. This application is being considered to be a health care facility, and the property is landlocked by roads.

Mr. Paquette, President of SPL Development Group, appeared. This would be a multi-collaborative effort. He proposed and built Atlantic Heights on High Street. They have built a number of elderly housing complexes. They built eight throughout Massachusetts and New Hampshire.

This would be an assisted living and memory-impaired facility for its residents. Mr. Paquette is looking at this project being a \$20 to \$25 million project. It would be staffed 24 hours a day. Annualized payroll will exceed \$1 Million. There is a need for Alzheimer's care in the Seacoast.

Mr. Corey Colwell appeared, MSC Engineers. Architect Dave Udelsman appeared as well. Mr. Udelsman discussed the building design. A 100-unit building is proposed with 124 bedrooms. The population will be comprised of two major components. One is memory support for residents with Alzheimer's who are an elopement risk. Natural light is required for good health care for the residents. The Alzheimer's section will be a single-story structure with two courtyard spaces. The facility will be secure. The right side of the building will be for Alzheimer's care. The left side of building will be a three-story assisted living portion; no elopement risks. Upper floors are similar in the arrangement. Green areas of the plan show staff areas; a commercial kitchen is also there.

There will be activities and common spaces. There's a lounge space on the 2nd floor. There will be an exercise room, theatre, arts area, etc. He showed the facility they recently did in Canton.

Mr. Corey Colwell appeared, MSC Civil Engineers. Other business ideas for this area were turned down due to traffic and other issues. Mr. Colwell thinks this is the best use. There is little impact on emergency vehicles; no impact on schools. A lot of mature growth will be allowed to stay as is. It is 9.9 acres.

The access road would be extended. There is a proposed access way all around the building.

There are a couple of wetland areas and poorly-drained soils. Jim Gove discussed this with DES. Pockets can be filled with mitigation provided. State, DES, Conservation Commission and Army Corps of Engineers will deal with the filling of wetlands. They do not connect to any other wetlands.

Mr. Higgins asked about outside space for the assisted living section. Mr. Udelsman showed two areas. Patios, gazebos, and walkways will be provided. No patios will be on the upper floors, but there will be elevator access to the lower level. Mr. Higgins asked about 100

HAMPTON PLANNING BOARD

MINUTES

September 2, 2015 – 7:00 p.m.

units and 124 bedrooms. There are 10 shared units. Third-story units have some two-bedroom units. Siblings could share a unit and there is a cost element as well. Mr. Higgins asked if two people share a room in the single ones. Age is taken into account. Needs were discussed. Two people can share a room.

They will have about 40 employees at a maximum shift. One half dozen will be visiting nurses, etc. Mr. Higgins said the entrance way seems small. An ambulance coming in at same time, etc. could be tricky. Mr. Higgins sees a lot of activity at the front door.

Mr. Lessard saw this at the Conservation Commission. He thinks it's a good use for the property. Less impact was discussed. It would have to go through the PRC process. It is not a nursing home. This facility will be licensed by the State of NH.

Mr. Emerick thinks it's a good use of the site. Ms. Carnaby asked about a next level care facility in the area for people to be transferred to. Ms. Carnaby asked about the length of time for people to stay there. People are usually coming in for years. There will be nursing care. Ms. Carnaby asked about outdoor areas.

Mr. Olson thinks it's a good use. Traffic issues are dealt with. He asked about parking lot revisions. The design is ongoing per Mr. Udelsman. Mr. Olson said parking may have a relationship to the building. The resident population is not driving. Bus service will be offered and van service. They want to shift employee parking to one area.

Mr. Corey Colwell discussed additional parking.

Mr. Olson noted the Alzheimer's wing is one story; he asked if it can be two to reduce the impact. Mr. Udelsman does not want to raise the walls around the courtyard higher. Alarmed exits were discussed.

Mr. Bachand said the Zoning Review Subcommittee discussed this parcel and this was one of the suggested uses. Staff/Department Heads also looked at this. Wetlands impact/mitigation was discussed. Use regulations were discussed. Health Care Facility noted in the definitions and use table. Life care services and assisted living are defined but not really discussed in the Use Regulations. **A use variance may be necessary. He and Mr. Schultz are looking at that.** DPW discussed the sewer connection and capacity. **It was noted that the applicant should circle back with Chris Jacobs.**

Mr. McNamara said they seem to have a lot of thought on this process. Wetlands issues should be able to be dealt with.

Mr. Lessard asked about a loading dock. He asked about parking. He thought not having a handicapped spot is tough to do a drop off and pick up of residents. Mr. Udelsman said there is a two-lane area for loading in and out and to still allow passage around. He will work with Mr. Colwell for parking (close proximity to front). Signing is helpful too. Mr. Lessard asked about additional preservation to the cemetery area. There are no additional plans.

Mr. McNamara announced that the applications for 263 Drakeside and Towle Farm Road will be continued to the first meeting in October, October 7th and if there was anyone in the audience for that application, he wanted to so note this.

MOVED by Mr. Emerick to continue to October 7, 2015.

SECOND by Mr. Olson.

VOTE: 6 – 0 - 0

MOTION PASSED.

HAMPTON PLANNING BOARD

MINUTES

September 2, 2015 – 7:00 p.m.

III. NEW PUBLIC HEARINGS

15-042 Drakeside Road

Map: 140 Lot: 3

Applicant: Chinburg Properties

Owner of Record: Asset Title Holding, Inc.

Subdivision: Three-lot subdivision (single-family homes)

Waiver Request: Section V.E. (Detailed Plan), Items 8, 9, 10 and 12.

Mr. Olson recused himself. Mr. Corey Colwell appeared. This is a 3-lot subdivision across the street from the 10-lot subdivision; same developer. This property is at the intersection of Drakeside and Towle Farm Road.

He discussed his 4-sheet set of drawings. C-1 is an existing features plan. They are located in the General Zone. The property contains 1.3 acres. It is across the street from Towle Farm. It is the same owner as the previous presentation. The property is titled now in the name of Chinburg Properties.

Sheet 2 shows the proposal. Lot one would contain 16,000 s.f.; Lot 2 contains about 18,000 s.f. and Lot 3 contains about 22,000 s.f.

Utilities do exist in Drakeside Road. This subdivision goes hand in hand with the one proposed across the street because they are using shared facilities. The sewer main would be shared.

Mr. Colwell said because of shared-ness with the property across the street, it is felt they go hand in hand. He understands nothing can be approved tonight. When the second subdivision comes in next month, this would be heard again at the same time.

Sheet C-3 shows drainage, etc. Floor plans are also in the packet. He discussed short driveways to Drakeside Road. Drainage runs north to south. A rain garden was discussed. Rain gardens slow down drainage. Drainage analysis is provided. Rain gardens treat storm water and slows it down and gives more landscaping to lots. The lawn is not a good component to storm water because people fertilize their lawns.

Remaining utilities, electric and cable are used with overhead lines. Utility connection across the street means they need to see both together.

BOARD

Mr. Lessard said you can't run a sewer across a public road. He discussed the 504 sewer plan. A prior Town warrant article was discussed. One cannot cross private or public property to serve private property. Sewer getting extended properly needs to be addressed. Mr. Emerick said it's a force main. Mr. Lessard said it is gravity from where they are into Hampton Meadows. Crossing a public way – you can't do that; it is part of the warrant article. Development has to follow a logical plan. Mr. Emerick asked about multi-family. They hooked in and it's gravity there.

HAMPTON PLANNING BOARD

MINUTES

September 2, 2015 – 7:00 p.m.

Mr. Colwell said they met with DPW. Chris, PRC, DPW and the proposal outlaid stated that sewer had to be extended up Drakeside Road, but on the east side of Drakeside Road. Houses have services going under Drakeside Road to sewer. Mr. Colwell said it's done by a different firm and it will need to be checked on. **Mr. Colwell will talk with the Firm.**

Mr. Lessard asked about an overlay – industrial versus residential. It's all housing. Mr. Lessard asked if there will be deed restrictions. Can the house in the middle put in a beauty salon at some point, for an example. It is a residential neighborhood in a General Zone. Mr. Lessard asked would there be Industrial businesses; manufacturing, etc. added in this Zone. They could put in Residential Use only on the Deed. Right now pretty much anything could go there.

Mr. Higgins said the warrant article should be put in the packet for the next Planning Board meeting on this application.

Ms. Carnaby asked about noise issues. Mr. Colwell said there is a lot of noise in this area.

PUBLIC

Mr. Bachand said that due to sewer coordination issues he recommends continuing to the October 7th meeting and not accepting jurisdiction at this time. Also, assuming the other project (across the street) is ready for the Board to hear on October 7th, both would be heard side by side.

MOVED by Mr. Emerick to continue this to October 7, 2015 and to not accept jurisdiction.

SECOND by Mr. Lessard.

VOTE: 5 – 0 – 1 (Olson)

MOTION PASSED.

15-044 18 Glade Path

Map: 273 Lot: 13

Applicants: Simmers Trust/Joyce Simmers & Brenda Hayes, Trustees.

Owner of Record: Same

Wetlands Permit: Construction of permeable paver patio. Installation of fencing & new gravel.

Applicant did not appear. It was requested to put this at the end of the meeting.

15-045 24 Tuttle Avenue

Map: 292 Lot: 57

Applicants: Jacqueline McCallum & John Maciejewski

Owners of Record: Same

Wetlands Permit (Amended): Addendum to original proposal; Addition of a 31 1/2 x 29 inch pad for A/C unit. Addition of chain link fence.

Mr. McCallum and Mr. Maciejewski appeared. They put a central air conditioning unit in. On the northeast corner, there used to be a shed. There is an existing chain link fence around the back of the property. There is a fence missing in a 10' area. They are adding a concrete pad for the a/c unit and a fence 4' high and 10' long in the missing area to the corner of the house.

HAMPTON PLANNING BOARD

MINUTES

September 2, 2015 – 7:00 p.m.

Mr. Lessard went on the Conservation Commission walk and to the meeting with the Conservation Commission. Everyone was fine with what is going on.

Mr. Bridle appeared.

Mr. Higgins asked whose easement it is and what the restrictions are. Pad and fence are in the easement. The fence is not in the easement. Mr. Higgins asked if this is permitted. It is our sewer easement. The shed covered part of the easement in the past. Mr. Higgins said it's our own easement. They can put in a fence. Mr. Olson said a/c unit isn't in easement. He looked at the picture. He said it is outside the easement. Mr. Olson said the a/c location is not right on the plan.

PUBLIC

Mr. Bachand said he agrees with the Conservation Commission's stipulations dated August 28, 2015. It was also agreed that the drawing is inaccurate in relation to the photos provided and the error should be cleared up.

MOTION by Mr. Lessard to grant the wetlands permit for the fence and the pad and provide a new drawing which shows a new box for the pad near the shed and attach the photograph of the location and to include the stipulations of the Conservation Commission dated August 28, 2015.

SECOND by Mr. Olson.

VOTE: 6 – 0 – 1 (Bridle)

MOTION PASSED.

15-046 239 Drakeside Road

Map: 157 Lot: 2

Applicant: Kids' Stop, Inc.

Owners of Record: Waterway Realty, LLC

Site Plan: Utilize approx 3,450 sf of existing 5,226 sf bldg as group daycare. Remaining portion to continue as office space. Install fenced-in play area totaling 7,236 sf. Waiver Request: Section V-Submission Requirements, Detailed Plan.

Mr. Lessard recused himself. Wayne Morrill from Jones & Beach and June Brewster appeared. Brian Colsia from Waterway Realty (owner) also appeared. It is in the General Zone. Proposal is to use 3,450 sf of building as a daycare. The remainder will be used as an office.

A fence will be installed to keep kids safe. They asked for a waiver for the amount of detail where there are no changes except installation of a fence. The PRC meeting was August 26th. They received recommendations from the Planner and have no problems with them. There is an existing septic system on site at this point designed for an 8,800 s.f. office building which is planned to be kept in place at this time. There is also an existing sewer service onto Drakeside Road that has been confirmed to be in working order in the event they need to hook in for the proposed use.

HAMPTON PLANNING BOARD

MINUTES

September 2, 2015 – 7:00 p.m.

BOARD

Ms. Carnaby asked about guidelines about how far a toddler needs to travel between the inside space and the play area. It looks like a long hike to the toddler play area. Ms. Brewster said as long as there is a space to corral the children that is all that is needed. There are strict guidelines from the State of NH.

Mr. Olson asked about current uses. Mr. Morrill said the daycare will only occupy 3,450 s.f. of the 5,226 s.f. building.

Mr. Higgins asked about stories. There is a ground level and then there is a 3rd floor level they are not using at all. There are three floors. Mr. Higgins asked about signage. Ms. Brewster will have a sign.

Mr. Bridle asked why they are still using the septic system instead of going to Town sewer. Financially they want to wait until next year before hooking in.

Mr. Morrill said the use has to conform with the leach field. There may have to be a modification or tie into the sewer.

PUBLIC

Lillian Deroucy (sp) Hampton Woods, appeared. She drives out of Walker Circle. She asked how tall the fence will be. The fence (side where it abuts) will be a 6' privacy fence; the rest would be a 4' PVC fence. It would be slatted so air circulation will occur. The walkway area as well will be slatted and 4' high. There is an open field that belongs to Hampton Woods. That fence side will be 4'.

Ms. Deroucy is concerned about Walker Circle being busy. She asked how the children will be protected. Children will be inside. People walk dogs, people in and out, etc. Residents pulling in and out was discussed. She is worried about traffic. Ms. Brewster said people won't be arriving and leaving at the same time. Parents have to drive into the parking lot, physically walk the children into building, sign in and go back out. There may be 10 minutes of time they are in the parking lot and the same happens at pick up time. Activity is in their parking lot and their walkways. Not on Walker Circle. Parking for the daycare comes off of Walker Circle.

Mr. Keith Lessard, from the public, appeared. He thinks it's a good use of the land. He asked where snow will be stored. **It needs to be added to the plan;** north side of the parking lot. Actually, it is the east side. **Mr. Morrill will add that.** If there is too much snow, the Planning Board needs to know it can be trucked off site.

Mr. Lessard asked about the number of children; Ms. Brewster stated 50. Mr. Lessard wants the parking lot paved. He is concerned with how narrow the fence is. It's 5' wide. Snow will be blown over the 6' fence. Snow will be pushed into the snow storage area per Mr. Morrill. Mr. Lessard wants a paved parking lot as it will be permanent.

Mr. Lessard would like the fence to come up to building in case kids can get out.

Brian Colsia with Waterway Realty appeared. There was real trouble for 3 years because of open space in the building. He feels it is a good use for the building. He did substantial work to the building. Septic has been pumped; It is a 2,000 gallon tank. He plans to tie in to the sewer

HAMPTON PLANNING BOARD

MINUTES

September 2, 2015 – 7:00 p.m.

if he ever has to. He said paving is graveled, it's compacted. He's been plowing it for three years. He feels it's sufficient. He doesn't have the funds right now. He said snow retention is not a problem.

Mr. McNamara discussed 50 children and parking issues and snow storage. He thinks it's reasonable to ask for paving for the parking lot.

Mr. Emerick said for daycare purposes it is ideal. The parking lot is hard packed. Mr. Emerick is not worried about paving or not paving. Adding the fence to be closer to the door is a good idea.

Ms. Carnaby likes the fence being extended to the building.

Mr. Higgins said it would be nice to see it paved, but he doesn't see why the applicant has to, but wants to know how handicapped spaces will be delineated.

Mr. Bachand stated it is recommended Condition #4 of his memo and read that condition aloud. Mr. Bachand said the Board may wish to modify it. He feels the entire parking lot should be paved. It could be safer, but it's up to the Board.

Condition #2 was discussed. Mr. Bachand said snow storage should be added to the final plan. He also noted there is a waiver request and a change of use that needs to be voted on as well. Approval should be subject to the conditions in the memo, adding snow storage. Adding paving is up to the Board. Extending the fence to the building should be added as well.

MOTION by Ms. Carnaby to grant the change of use.

SECOND by Mr. Emerick.

VOTE: 6 – 0 – 1 (Lessard)

MOTION PASSED.

Mr. McNamara asked the Board for their opinions on the paving of the driveway.

Mr. Emerick said he could go either way on paving.

Mr. Higgins likes it (paving), but can't force the applicant to do so.

Mr. Olson said he likes the paving idea, but the applicants don't have to do it.

Ms. Carnaby noted the handicapped spaces have to be paved, but she cannot see requiring the full paving to be done right now.

Mr. Bridle wants to see it paved.

From the entrance to as far as the handicapped accessible spots, a 16' x 58' area should be paved per discussion amongst Mr. Higgins and Mr. McNamara.

MOTION by Mr. Emerick to grant the Waiver Request.

SECOND by Ms. Carnaby.

VOTE 6 – 0 – 1 (Lessard)

MOTION PASSED.

Vote now for Site Plan.

MOTION by Mr. Bridle to approve the site plan with the recommended conditions, and to add snow storage and additional fencing to the plans, and that the ADA spaces shall be paved along with the extra 16'.

HAMPTON PLANNING BOARD

MINUTES

September 2, 2015 – 7:00 p.m.

SECOND by Mr. Olson.

VOTE: 6 – 0 – 1 (Lessard)

MOTION PASSED.

The Board discussed 18 Glade Path – applicants not showing up.

Ms. Rayann Dionne, Conservation Coordinator appeared. She does not know why the applicants did not attend. Their project is straight forward. Mr. Lessard wants someone to appear for this application. It was asked if this is a condominium. It was noted that 18 and 20 have to apply together or as an Association. Mr. Lessard thinks they need a letter from the Association.

MOTION by Mr. Emerick to continue this application to September 16, 2015.

SECOND by Mr. Olson.

VOTE: 6 – 0 – 1 (Higgins-absent).

MOTION PASSED

IV. CONTINUED PUBLIC HEARINGS

***15-035 263 Drakeside & Towle Farm Rd**

Maps: 157 & 140 Lots: 1 & 1

Applicant: Chinburg Builders, Inc.

Owners of Record: Valle Drakeside LLC, Asset Title Holding, Inc.

Site Plan and Wetlands Permit: Construct ten, single-family residential condominiums;

Wetlands Permit to remove existing asphalt on site which is located within the wetland buffer.

*Note: Earlier in the meeting, the Board voted to continue the above applications to October 7, 2015.

V. CONSIDERATION OF MINUTES of August 19, 2015.

MOTION by Mr. Emerick to accept and approve the August 19, 2015 Minutes.

SECOND by Mr. Lessard.

VOTE: 5 – 0 – 2 (Bridle/Higgins)

MOTION PASSED.

VI. CORRESPONDENCE

VII. OTHER BUSINESS

- Zoning Review Subcommittee Update

Mr. Bachand discussed Minutes provided to the Board from the last Zoning Review Subcommittee meeting. There was review of suggested uses and how they fit in with current

HAMPTON PLANNING BOARD

MINUTES

September 2, 2015 – 7:00 p.m.

zoning. Based on the results, there should not be any zoning map changes. **Mr. Bachand will prepare a summary memo and provide a draft** to the Subcommittee for review. Then it will go to the Board. The subcommittee is close to completing its work. Mr. Emerick said the southwestern end of property that backs onto Mary Batchelder – 200' of that is in the General Zone; the balance is Industrial. It has 32 acres. He recommended taking the 32 acres and converting it to one-acre zoning. He wants it Residential rather than Industrial. This property is in Unitil's back yard.

Mr. Lessard had a question on temporary parking lots. As an example, if he converts a temporary parking lot to a permanent parking lot it has to be paved. It was noted that paying to park is different. Temporary versus permanent was discussed. Mr. Lessard asked how parking will be delineated on the above application (day care). It was noted that it is in conditions.

Mr. Lessard asked about Drakeside Road. He asked about the warrant article so sewer would follow the 504 infrastructure plan. Mr. Lessard thinks it's not being followed on 263 Drakeside Road. Issues about public sewer over private roads were discussed. Mr. Bridle said you can't run a private sewer across a Town Road. Mr. Emerick said the multi-family is on the other side of the street and they do that.

VIII. ADJOURNMENT

MOTION by Mr. Emerick to adjourn.

SECOND by Mr. Olson.

VOTE: 6 – 0 – 1 (Higgins)

MOTION PASSED.

MEETING ADJOURNED: 9:00 p.m.

Respectfully submitted,

Laurie Olivier, Administrative Assistant

****PLEASE NOTE****

ITEMS NOT CALLED OR IN PROGRESS BY 10:00 P.M.

MAY BE CONTINUED TO THE NEXT SCHEDULED MEETING